

**Please amend the claims of this application to as follows:**

**1. (Cancelled)**

**2. (Withdrawn-Currently amended)** The footwear of claim 4 26 wherein the shoe is a dress shoe.

**3. (Currently amended)** The footwear of claim 4 26 wherein the shoe is an athletic shoe.

**4. (Currently amended)** The footwear of claim 4 26 wherein the shoe is a walking shoe.

**5. (Withdrawn-Currently amended)** The footwear of claim 4 26 wherein the shoe is a sandal.

**6. (Currently amended)** The footwear of claim 4 26 wherein the rotatable tongue member pivotally connects to the spanning member, and said rotatable tongue member being affixed for retention with the spanning member pivotal tongue.

**7. (Withdrawn)** Footwear having a pivotal pinwheel connected thereto, said footwear incorporating a shoe sole, said shoe sole having a shoe upper applied thereto, said shoe upper formed having a quarter portion provided to either side of the shoe, said quarter portion being affixed to the shoe sole, said pinwheel being mounted to at least one of the quarter portions for pivoting relative thereto, a rotatable member pivotally mounted to the quarter portion, said rotatable member being affixed to the pinwheel, whereby upon rotation of the rotatable member the pinwheel turns to display differing indicia or coloration.

**8. (Withdrawn)** The shoe of claim 7 wherein each quarter portion to which a pinwheel connects has at least one slot provided therethrough, the pivotal pinwheel being displayed through the quarter portion slot whereby upon turning of the rotatable member the pinwheel pivots to display differing coloration or indicia through at least one slot of the overlying quarter portion.

9. **(Withdrawn)** The footwear of claim 8 wherein a pivotal pinwheel connects by a rotatable member to each side quarter portion of the formed shoe, whereby each pinwheel may be turned by a rotatable member to display differing coloration or indicia through respective quarter portion slots.

10. **(Withdrawn)** The footwear of claim 8 incorporating a shoe sole, quarter portions and vamp, a tongue extending upwardly from the shoe vamp, an opening provided between the upper quarter portions in the region of the shoe tongue, a spanning member spanning the space between the upper quarter portions for the structured shoe, a pivotal pinwheel connecting to the spanning member and provided for rotation therewith, a rotatable member connecting the pinwheel pivotally to the shoe spanning member, whereby upon rotation of the rotatable member the pinwheel turns to display differing coloration or indicia.

11. **(Withdrawn)** The footwear of claim 10 wherein the pivotal pinwheel is provided above the shoe tongue.

12. **(Withdrawn)** The footwear of claim 10 wherein the pivotal pinwheel is disposed beneath the shoe tongue and providing a display through openings in the said tongue.

13. **(Withdrawn)** The footwear of claim 11 wherein the pivotal pinwheel extends underneath the upper edges of the quarter portions for the structured shoe, said quarter portions having at least one slot provided therethrough, and the pinwheel displayed through the quarter portion slots to furnish differing coloration or indicia visually therethrough.

14. **(Withdrawn)** The footwear of claim 11 wherein the pivotal pinwheel is located beneath the tongue and said tongue having at least one aperture provide therethrough for display of the pinwheel therethrough.

15. **(Withdrawn-Currently amended)** The footwear of claim 4 26 wherein said pivotal tongue has at least one slot provided therein to allow the tongue to conform to the shape of any foot of a wearer of the footwear.

16. **(Currently amended)** The footwear of claim 4 26 and including a pocket provided at the lower end of the tongue, and affixed to the upper edge of the vamp, said pocket accommodating the lower edge of the pivotal tongue during its rotation through turning of the rotatable member.

17. **(Withdrawn)** A sandal incorporating a sole, a strap extending from the sole for extending over the foot of any wearer of the said sandal, a rotatable member pivotally connecting with the strap, a pinwheel affixed to the rotatable member and arranged under the sandal strap, whereby upon turning of the rotatable member the pinwheel turns to vary the coloration or design displayed when wearing of the sandal.

18. **(Withdrawn)** The sandal of claim 17 wherein the strap is a compound strap, various spacings provided intermediate the portions of the compound strap, and the pinwheel displayed within said spacings, which when turned through rotation of the rotatable member, displays differing indicia or coloration when the sandal is worn.

19. **(Withdrawn)** The sandal of claim 18 wherein the strap includes at least one aperture, said pinwheel disposed for display through the strap aperture when the sandal is worn.

20. **(Withdrawn)** The footwear of claim 10 wherein the pivotal pinwheel includes a series of openings provided therethrough, and wherein the underlying tongue is displayed therethrough for varying the aesthetics of the coloration or indicia of the worn shoe.

21. **(Withdrawn)** The footwear of claim 7 wherein the pinwheel displays an initial through the quarter portion aperture.

22. **(Withdrawn)** The footwear of claim 7 wherein the pinwheel displays a name through the quarter portion slot when adjusted.

23. **(Withdrawn)** The footwear of claim 7 wherein the pinwheel extends through a quarter portion slot during its turning.

24. **(Currently amended)** The footwear incorporating a sole and vamp and having a pair of quarter portions integrally structured to either side of the sole and vamp, said vamp having an opening provided therethrough, a pivotal pinwheel provided ~~within~~ under the vamp, a rotatable member affixing to the pivotal pinwheel and rotatably mounted relative to the underside of the vamp, whereby upon turning of the rotatable member the pivotal pinwheel turns and displays differing coloration or designs through the vamp opening slot during adjustment.

25. **(Original)** Footwear having a rotatable pinwheel comprising a shoe having a sole portion and an upper incorporating a tongue, the tongue having at least one slot provided through its upper surface, said pinwheel incorporating within the footwear tongue, a rotatable member pivotally affixed to the tongue and being secured with the pinwheel, whereupon by turning of the rotatable member the pinwheel pivots within tongue to display different coloration or indicia through the tongue slot.

26. **(New)** Footwear having a rotatable tongue comprising a shoe having a sole portion and an upper, the shoe upper incorporating a lacing opening between its quarter portions, and a spanning member for extending across the upper portion of any foot applied into the shoe and across its lacing opening, said spanning member affixed to the quarter portions opposite sides and approximately half way up the lacing opening, and said rotatable tongue securing with the spanning member, whereby upon turning of the rotatable tongue the tongue pivots relative to the shoe upper.